

~~PROPOSED~~ ORDER/COVER SHEETTO: Honorable Wayne D. Brazil  
U.S. Magistrate Judge**FILED**

RE: Kelvin Arnold

FROM: Claudette M. Silvera, Chief  
U.S. Pretrial Services Officer

JAN 14 2008

DOCKET NO.: CR 07-00488 CW

DATE: January 14, 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Paul Mamaril  
U.S. PRETRIAL SERVICES OFFICER510-637-3757  
TELEPHONE NUMBER

RE: MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.

☒ I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.☐ Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_.☐ Inform all parties concerned that a Bail Review Hearing will be conducted by:  
Magistrate Judge \_\_\_\_\_ Presiding District Court Judge \_\_\_\_\_☐ I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:☐ Modification(s)

A.

B.

☐ Bail Revoked/Bench Warrant Issued.☐ I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).☐ Other Instructions:*Defendant must appear on my calendar if there is any additional apparent violation of curfew.*Wayne D. Brazil  
JUDICIAL OFFICER1-14-08  
DATE

Cover Sheet (12/03/02)

*if cc: WDB's Stats Copy to parties via ECT,  
Pretrial, Sheldah, Financial*

**To:** Honorable Wayne D. Brazil  
U.S. Magistrate Judge

**From:** Paul Mamaril  
U.S. Pretrial Services Officer

**Subject:** Kelvin Arnold  
CR 07-00488 CW

**Date:** January 11, 2008



## MEMORANDUM

Your Honor,

On December 4, 2007, this officer submitted a memorandum regarding our concerns of Mr. Kelvin Arnold's behavior on pretrial release, especially his condition of curfew. This memorandum is attached for Your Honor's review. On December 13, 2007, a subsequent memorandum was submitted regarding the defendant's admitted drug use and positive urinalysis for marijuana. This memorandum is also attached for Your Honor's review.

Since the last memorandum, Mr. Arnold has missed curfew calls on the following dates:

<u>Date:</u>	<u>Time:</u>	<u>Reason:</u>
December 14, 2007	11:27 pm	Hung up
December 14, 2007	11:38 pm	No Response
December 15, 2007	10:49 pm	Hung up
December 18, 2007	11:23 pm	No Response
December 22, 2007	1:02 am	Hung up
December 23, 2007	2:53 am	No Response
December 26, 2007	4:28 am	No Response
January 4, 2008	1:47 am	No Response

On January 8, 2008, Mr. Arnold reported to this officer and the curfew violations were addressed. The defendant advised that he has been home during his curfew hours and that members of his household may have picked up his curfew calls. This officer spoke with the defendant's aunt (Charlene McKenney) who verified that she has accidentally picked up the defendant's curfew calls on various occasions. Mrs. McKenney confirmed that the defendant has always been home during his curfew hours (10pm-6am). This officer advised Mrs. McKenney that the defendant will need to contact Pretrial Services immediately if he believes that he has missed any curfew calls in the future. It should be noted that, since the last memorandum, Mr. Arnold is now testing negative for illicit drug use and secured full-time employment at Shell Gas Station in Pleasanton, California.

MEMORANDUM FOR THE HONORABLE WAYNE D. BRAZIL  
UNITED STATES MAGISTRATE JUDGE  
RE: ARNOLD, KELVIN

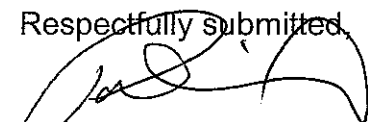
PAGE 2

At this time, Pretrial Services requests that no action be taken as a result of the noted violations as these are being addressed with the defendant.

The defendant is currently scheduled for a Motions Hearing before the Honorable Claudia Wilken, U.S. District Judge, on January 16, 2008.

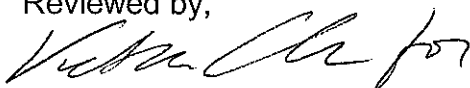
This memorandum is submitted for Your Honor's information and consideration. If Your Honor has any questions regarding the above information, please contact this officer at 510-637-3757.

Respectfully submitted,



Paul Mamaril  
U.S. Pretrial Services Officer

Reviewed by,



Allen Lew, Supervising  
U.S. Pretrial Services Officer

cc: Mr. Keslie Stewart, AUSA

Ismail Ramsey, Defense Counsel